

R.E. Pierson Plan Approval No. 09-0241 Comment/Response Document
October 23, 2018

A compilation of the public comments received during the public comment period on the draft Air Quality plan approval that DEP plans to issue to R.E. Pierson Material Corporation for the construction of a 1,000-tph non-metallic mineral processing plant at the quarry.

The draft Air Quality plan approval was published for public comment in the Pennsylvania Bulletin on August 11, 2018, and the 30-day comment period ended on September 11, 2018. The comments received from commentators during the public comment period, during the public hearing on September 20, 2018, as well as responses from DEP are included in this Comment/Response document.

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List of Commenters

Comments to EP, SEROAQPublicComments, via email or at the public hearing				
No.	Name	Home or email Address or Organization	City	State
1	Carol F. McCabe	Manko, Gold, Katcher & Fox for E. Rockhill Twp.	Bala Cynwyd	PA
2	Mark L. Freed, Esq.	Curtin & Heefner LLP for Rockhill Environmental Preservation Alliance	Doylestown	PA
3	Sandi Hippauf	29R Rockhill Rd.	Quakertown	PA
4	Todd Hippauf	29R Rockhill Rd.	Quakertown	PA
5	Emily Geib	900 Rockhill Rd.	E. Rockhill Twp.	PA
6	George Geib	900 Rockhill Rd.	E. Rockhill Twp.	PA
7	Janine Gravelle	2198 North Rockhill Rd.	Sellersville	PA
8	Kimberly Gottshall	2198 North Rockhill Rd.	Sellersville	PA
9	Ryan Gottshall	2198 North Rockhill Rd.	Sellersville	PA
10	Daniel Soliday	Rockhill Environmental Preservation Alliance, Inc.	Perkasie	PA
11	Jim Pascale	1921 Three Mile Run Rd.	Perkasie	PA
12	Luann Ausen	1921 Three Mile Run Rd.	Perkasie	PA
13	Lowell J. Lysinger, Jr.	Heritage Conservancy		
14	Sharon Furlong	Bucks Environmental Action & Bucks County Sierra Club	Feasterville	PA
15	Marianne Morano	1622 N. Ridge Rd.	Perkasie	PA
16	David Arrowood	310 Rock Hill Rd.	Quakertown	PA
17	Mark Ezzo	Columbus Consulting Corp.	Sellersville	PA
18	Michael D. Kracht	Weber, Kracht & Chellew	Perkasie	PA
19	Scott Bergey	Upper Bucks Christian School	Sellersville	PA
20	Scott Sidle	1914 N. Rockhill Rd.	Sellersville	PA
21	Anna Maria Elisa Manalo			
22	Angel Brechbill			
23	Pat Sellers			
24	Joanne and Russ Kater	1710 W. Rock Rd.		
25	Kristen Carper			
26	Matt Ryan			
27	Tina Wartman			
28	Karen M. Kern	2018 N. Rockhill Rd.	Sellersville	PA
29	Marta Griffith, MBA	On Track Resources, LLC		
30	Greg O'Driscoll	815 E. Rockhill Rd.	Sellersville	PA
31	James S. Kopchak			

32	Sean Trotter	
33	Mr. & Mrs. Weise	
34	Rick and Barb Gebelein	
35	Danielle Frederick	
36	Larry and Rosemary Wheatley	
37	Lindsey Lisenbigler	

38	Josh Scheiderer	Resident/UBCS/ Bethel Baptist Church		
39	Michael Logan	455 Business Center Drive Suite 250 mlogan@cps-2comply.com	Horsham	PA
40	David Arrowood	310 Rockhill Rd.	Quakertown	PA
41	Bob Brach			
42	Frank Banhad	Sellersvillclass78oe542 @yahoo.com		
43	Christy Grega	McMullen.family@ comcast.net		
44	Dave Bedillion			
45	Leo Church			
46	Bob Kroenelber			
47	Thomas Hesgood	2331 Muskrat Rd.	Sellersville	PA
48	Sandy Lehrmann	1470 W. Rock Rd.	Perkasie	PA
49	Arthur Hallett	2210 N. Rockhill Rd.	Sellersville	PA
50	Brandon Jetmore ¹	5900 Clymer Rd.	Quakertown	PA

¹ Comment received on November 19, 2018 after the public comment period ended.

General Comments – Requests and Public Notice

- 1. Comment:** Requests were made for all documentation submitted by the applicant, specifically actual proof that 500 tons of material has been sold. (17, 28)

Response: Any requests pertaining to mining extraction of 500 tons of materials should be sent to DEP, Pottsville District Mining Office, 5 W. Laurel Blvd., Pottsville, PA 17901.

The Pottsville District Mining Office (PDMO) has reviewed the available documentation regarding the annual removal of material from the site. PDMO has determined that the surface mining permit has maintained its active status.

- 2. Comment:** DEP should revise the procedure for providing a public notice. The Intent to Issue Notice in the newspaper was noticed by complete chance and it is too difficult to obtain the public documents pertaining to project. Residents within 1,000-feet of the project should receive mailed communication for a public notice. (6, 7, 8, 10)

Response: The hearing was advertised in accordance with 25 Pa. Code Section 127.48(b), that is, Bucks County Times Courier, the newspaper of general circulation in the county (August 16, 17 and 18, 2018) and in the PA Bulletin. For any public documents, please contact the Records Management at Southeast Regional Office, 2 East Main St., Norristown, PA 19401, telephone: 484-250-5900.

General Comments – General Information Form (GIF)

- 3. Comment:** The application is incomplete, and many of the questions have not been answered. Many of the questions and answers are very technical and the public cannot have confidence that due diligence was exercised. (5, 10)
- 4. Comment:** The General Information Form is missing information: Items 1 through 5 in the Land Use Information section are left blank. (5)

Response to Comments 3 and 4: The missing information in the General Information Form (GIF) was previously addressed in a pre-plan approval meeting at the DEP Southeast Regional Office. It was determined that since the company was involved in litigation with the Township to obtain the necessary zoning permits, the questions pertaining to land use could not be fully and accurately addressed. DEP determined that the company could submit the application and submit a revised GIF after resolving the litigation.

Plan Approval applications are submitted for the construction of an air contamination source and/or to install an air cleaning device. Air Quality plan approvals and operating permits are issued to regulate air contamination sources.

During the technical review, DEP determined and believes that the conditions in the proposed plan approval are in compliance with all applicable state and federal air pollution control regulations and compliance with these regulations will minimize impact on the environment.

5. **Comment:** The company entered “NO” to the two questions regarding modifying an activity, when in fact they are modifying an activity. (10)

Response: The Rockhill quarry is classified as an existing facility, however the projects to be conducted by R.E. Pierson are not modifying the existing facility but are additional projects on that site. For example, DEP had previously issued the General Plan Approval and General Operating Permits (BAQ-GPA/GP) Nos. GP3-09-0157 and GP9-09-0083 for the temporary operation of portable crushers and associated equipment to crush the stones to smaller aggregates, which does not modify the mining operations.

General Comments – GIF & Plan Approval (PA) Application

6. **Comment:** The information in the application pertaining to GIF questions 5.1 (Water Obstruction and Encroachment Projects) and 6 (Will the project involve discharge of storm water or wastewater from an industrial activity to a dry swale, surface water, ground water or an existing sanitary sewer system or separate storm water operation?) were too scant to provide a reason to grant the permit. The contaminated runoff from the lake at the quarry will adversely affect wells in the area. Silt runoff into the tributaries and aquifer will make the water unfit for use. (12)
7. **Comment:** The plan approval (PA) application is missing information and/or contains misleading information from expired permits. (5, 6, 10, 29, 31)
8. **Comment:** The PA application is missing information: Page 4, Section 6 – Will all loaded trucks entering or leaving the property be required to use a suitable cover to prevent spillage? How will this be enforced? If not, justify. Page 7, Section 12 – Will all conveyor belts be covered? (Answer: No). If not, specifically note those which will be open and justify. (5)

Response to Comments 6, 7 and 8: The following statement is contained in the Exhibit-2 Site Plan and Equipment Layout Drawing Attachment, Operation Notes, to the Plan Approval Application pertaining to silt runoff and truck tarps: *“No disturbance is proposed to any floodplain, streams, watercourses, lakes, ponds, lake/pond shorelines, wetlands, wetland margins and/or riparian buffers. Limited woodland and steep slope disturbance is proposed outside of the permitted mining area and is substantially less than the maximum permitted disturbance amounts under the (proposed) zoning ordinance. The woodland and steep slope disturbance within the permitted mining area is not subject to the woodland and steep slope disturbance requirements. No wetlands have been identified onsite through Nation Wetland Inventory (NW) mapping.”*

“Pierson estimates that it will annually remove approximately 300,000 to 800,000 tons of aggregate from the quarry over the next 10-year period. Removal is based on the demand in the area. Pierson is not proposing to market overburden and intends to only extract and stockpile overburden necessary to get to the rock. All overburden to remain on site for the purpose of reclamation.”

“Overburden will be stabilized with vegetation to prevent wind and water erosion.”

“All trucks carrying product from the site must tarp their loads.”

In addition, the permittee must operate in compliance with National Pollutant Discharge Elimination System (NPDES) Permit No. PA0594121 that is issued in conjunction with the mining permit.

Pursuant to 25 Pa. Code § 123.1 of Section C, Condition #002 of the Plan Approval, no fugitive emissions are allowed, and if there are any, corrective actions must be taken.

Pursuant to 25 Pa. Code § 127.25, a person may not cause or permit the operation of an air contamination source subject to the requirements of 25 Pa. Code § 127.11 and identified in the plan approval application in a manner inconsistent with good operating practices; therefore, DEP considers all documentation submitted as part of a plan approval application to be enforceable.

- 9. Comment:** There are no scale drawings containing the hours of operation attached to the application as required in Section B-Mineral & Coal Processing Plant Information. (10)

Response: A scaled site plan clearly identifying the location and capacity of the equipment was provided in Exhibit-2 of the application. Additionally, R.E. Pierson proposed to restrict the hours of operation for the proposed 1,000-tph non-metallic mineral processing plant (e.g., crusher) to 2,800 hours per year and to conduct daily monitoring and recordkeeping to demonstrate compliance with the restriction.

This information was obtained from the plan approval application which proposes an operating schedule of 8-10 hours per day, 5-6 days a week, operating 9 months a year (April – December), 2,800 hours per year.

The following statement is contained in Exhibit-2 Site Plan and Equipment Layout Drawing Attachment, Operation Notes, to the Plan Approval Application pertaining to the hours of operation from the quarry: *“Blasting will occur within the mining area, subject to DEP regulations, Monday through Friday, between the hours of 9:00 AM and sunset. Blasting is proposed to occur no more than twice per week.”*

- 10. Comment:** Information for the section in the application requiring plant roads and public service roads and related governmental responsibility for maintenance was not provided. (10).

Response: As documented in Section B. 5. (Miscellaneous) of the plan approval application, plant roads will be paved or covered with sub base stone from the quarry. East Rockhill and Richland Townships are responsible for nearby public road maintenance. Informal commitment by Pierson Materials to substantially contribute to road to PA 309.

General Comments – Truck Traffic

- 11. Comment:** Excessive truck traffic. (2, 5, 6, 8, 43)
- 12. Comment:** Truck traffic on narrow roads impacting the pedestrian and vehicular traffic. (14, 22, 29, 32, 33, 43)
- 13. Comment:** Studies should have been done for traffic, endangered animals and threats to waterways and wells. (5, 6, 10, 29, 31)
- 14. Comment:** The traffic study did not take into account the full amount of traffic when the school, located ½ mile from the quarry entrance, is in session. (12, 19)
- 15. Comment:** Trucks are too big for these small rural roads (11, 43)

Response to Comment 11, 12, 13, 14 and 15: Plan Approval applications are submitted for the construction of an air contamination source and/or to install an air cleaning device. Plan approvals and operating permits are issued to regulate air contamination sources. They are not intended to regulate motor vehicle traffic.

As documented in Section B. 11. (Processed Material Reclaim and Load Out) of the plan approval application, 175 truckloads per day will be required to drive to the stockpiles This is regulated under East Rockhill Township Ordinances, Chapter 15, Motor Vehicles Traffic.

The following statement is contained in Exhibit-2 Site Plan and Equipment Layout Drawing Attachment, Operation Notes, to the Plan Approval Application pertaining to truck traffic from the quarry: *“Truck access shall be arranged so as to minimize danger to traffic and avoid nuisance to surrounding properties. (Refer to Circulation Plan Sheet 8 for onsite operations. See report by Horner & Canter Associates, as to proposed offsite truck routes.”*

Pursuant to 25 Pa. Code § 127.25, a person may not cause or permit the operation of an air contamination source subject to the requirements of 25 Pa. Code § 127.11 and identified in the plan approval application in a manner inconsistent with good operating practices; therefore, DEP considers all documentation submitted as part of a plan approval application to be enforceable.

General Comments – Excessive Noise

- 16. Comment:** Excessive noise from quarrying and blasting. Excessive noise from truck traffic. (6, 10, 16, 32, 33, 34, 36)
- 17. Comment:** Excessive noise. The permit should have a requirement for the installation of proper noise suppression system, such as high berms, to shield residents from the noise. (2, 6, 7, 8)

Response to Comments 16 and 17: Plan Approval applications are submitted for the construction of an air contamination source and/or to install an air cleaning device. Air Quality plan approvals and operating permits are issued to regulate air contamination sources. They are not intended to regulate excessive noise. This is regulated under East Rockhill Township Ordinances, Chapter 6, Part 2, Noise. However, since this crusher will be operating at a facility with a Surface Mine Permit; DEP's Pottsville District Mining Office (PDMO) will and has been monitoring noise levels at the site and all readings have been within the guidelines established by the Department for those activities. The PDMO will also be requiring additional noise mitigation requirements on the new crusher and has had preliminary discussions on that specific issue with the Operator/Permittee.

However, the following statement is contained in Exhibit-2 Site Plan and Equipment Layout Drawing Attachment, Operation Notes, to the Plan Approval Application pertaining to noise from the quarry: *“Most construction equipment operates between 76 and 91dB on average at 50 feet Reference: Peurifoy, R.L (Robert Leroy) (2006), Construction planning, equipment and methods / Robert L. Peurifoy, Clifford J. Schexnayder, Aviad Shapira – 7th ed. NY, NY, McGraw-Hill.*

According to the Train Horn Rule (49 CFR 222), the maximum volume level for the train horn is 110dB and the minimum level is 96-decibels (dB). The train separates the quarry operations from the nearest neighbor.”

“The estimated noise levels, measured at the property lines, of all quarry equipment, is approximately 60-db.

“All quarry production blasts shall be monitored by the company with a seismographic and sound equipment at the structure neither owned or leased by the permittee. A record of each blast shall be maintained by the permittee for a period of at least five (5) years.”

“Blasting will occur within the mining area, subject to DEP regulations, Monday through Friday, between the hours of 9:00 AM and sunset. Blasting is proposed to occur no more than twice per week.”

The Mining Regulations also state that:

All quarry production blasts shall be monitored by the company with a seismographic and sound equipment at the structure neither owned or leased by the permittee. 25 Pa Code, Chapter 211.151 states that blasts shall be conducted in a manner that achieves either a scaled distance of 90 at the closest building or other structure designated by the Department or meets the allowable peak particle velocity as indicated in Figure 1 (USBM-Z-Curve) at any building or other structure designated by the Department. Blasts shall be designed and conducted to control airblast so that it does not exceed 133dBL at any building or other structure designated by the Department. 25 Pa Code Chapter 211.133 states a record of each blast shall be maintained by the permittee for a period of at least three (3) years and shall make the blast report available to the Department upon request. ”

“Blasting will occur within the mining area, subject to DEP regulations. 25 Pa Code Chapter 211.156 states a blast may be detonated only between sunrise and sunset unless the Department authorizes a blast at another time of day. Blasting is proposed to occur no more than twice per week.”

“No ground vibration caused by blasting and machinery shall exceed the limit established by the act of July 10, 1957, P.L 685, as amended, 73 P.S. 164-168. 25 Pa Code, Chapter 211.151 states that blasts shall be conducted in a manner that achieves either a scaled distance of 90 at the closest building or other structure designated by the Department or meets the allowable peak particle velocity as indicated in Figure 1 (USBM-Z-Curve) at any building or other structure designated by the Department.

General Comments – Excessive Particulate Matter /Dust Emissions

- 18. Comment:** The air pollution has adverse effects on residents with respiratory problems (37, 43).
- 19. Comment:** Quarries with rock crushing capabilities allow exposure to respirable crystalline silica which has a direct link to human lung cancer. (17, 43)
- 20. Comment:** Air pollution from excessive particulate matter. (3, 4, 5, 6, 8, 10, 27, 14, 31, 32, 36, 43)
- 21. Comment:** Excessive dust and exhaust emissions. (13)
- 22. Comment:** Particulate matter, smoke and ash will negatively affect air quality and standard of life. (37)
- 23. Comment:** No mention made to all the residents about the super-sized operation that will adversely affect residents' way of life of life due to the emission of particulate matter in excess of DEP standards. (6, 7, 8, 10, 12)
- 24. Comment:** The application indicates that all conveyor belts will not be covered. The plan approval should require that all conveyor belts to be covered to reduce dust emissions. (10)

Response to Comments 18, 19, 20, 21, 22, 23 and 24: The proposed 1,000-tph non-metallic mineral processing plant (e.g., crusher) will be powered by electricity with no emissions other than particulate matter generated by crushing. The draft plan approval limits the emission of particulate matter from the site to 7.8 tons per year and contains requirements for monthly monitoring and recordkeeping to demonstrate compliance with the restriction.

Pursuant to the language of Condition #026 of Section C (Site Level Plan Approval Requirements) of the proposed plan approval documents "A person responsible for any source specified in 25 Pa. Code §123.1 shall take all responsible actions to prevent particulate matter from becoming airborne. These actions include, but are not limited to the following:

- (1) Use, where possible, of water or chemicals for control of in the demolition of buildings or structures, construction operations, the grading of roads or the clearing of land."

A wet dust suppression system (WDSS) comprised of water sprays will be used at several locations to control the particulate matter emissions from crushing activities. The plan approval requires the operation of the WDSS on any and all occasions that the 1,000-tph non-metallic mineral processing plant (Source ID: 101) is operated, except in those

unusual circumstances where conditions are such that operation can take place without creating fugitive emissions in excess of the limitations specified in the permit.

Also, the following statement is contained in Exhibit-2 Site Plan and Equipment Layout Drawing Attachment, Operation Notes, to the Plan Approval Application pertaining to particulate matter and dust emissions: *“Dust generated by the mining operation will be handled as follows:*

- A. Access roads, haul roads and adjoining portions to public roads will be controlled by water or calcium chloride. A water truck will be used to wet the surfaces and if not effective, then the calcium chloride may be applied to the water.*
- B. All trucks carrying product from the site must tarp their loads.*
- C. Dust from drilling is controlled by adding water while drilling and/or by venting the exhaust through the drill rig’s baghouse.”*

“Complaints will be handled on an individual basis as and when received. The Quarry Manager will be charged with monitoring and responding to any complaints in a prompt manner.”

The plan approval application identifies the name of the plant official who is responsible for determining when to implement dust control measures.

Also, to address this concern about fugitive emissions, the following condition is added to the permit under Additional Requirements in Section C:

- (a) the wind speed and wind direction shall be monitored continuously each operating day, in maximum increments of 30-60seconds, by means of an automated weather station.*
- (b) If at any time the automated weather station does not monitor either wind speed or wind direction, then monitoring of wind speed and/or wind direction shall be performed manually and recorded at least twice each operating day until the weather station has been repaired or replaced and has resumed monitoring the wind speed and wind direction.*
- (c) If the automated weather station stops monitoring or recording the wind speed or wind direction as a result of a malfunction, within two (2) hours of discovery of the malfunction, the permittee shall take steps to have the automated weather station repaired or replaced; this may involve, but not be limited to, calling a service technician or submitting an order to have the automated weather station repaired or replaced.*

General Comments – Wastewater Disposal

- 25. Comment:** There has been insufficient ground remodeling from the extraction and discharge which could impact drinking water from wells. (2, 5, 11)
- 26. Comment:** The plan approval does not mention of the water source of the wet suppression system nor how the company will dispose of the wastewater. (3)
- 27. Comment:** Little is known about the potential effects on the area's watersheds. (5, 6)
- 28. Comment:** Sediment and wastewater from the quarry will run-off into watershed and state park. (3, 46)
- 29. Comment:** Wells drying up due to usage by the wet suppression system. (2, 3, 4, 7, 8, 10)
- 30. Comment:** Activation of a "Mega Quarry" would compromise already contaminated water system and PFAS contaminated wells less than one mile from the site. (5, 6)

Response to Comments 25, 26, 27, 28, 29 and 30: The existing water, that is, the pond and cistern along the track, will be used to supply water to the wet suppression system. From the wet process system, the water is proposed to be sent to a designated pond with a closed loop system. This will be addressed in the NPDES Permit No. PA059412 to add additional monitoring and discharge points. Groundwater and surface water affects are regulated through the surface mining permit. PDMO will require additional information regarding the proposed effects on groundwater and surface water before additional pumping can be approved. All proposed operations must meet the Noncoal Mining Regulations and the National Pollutant Discharge Elimination System (NPDES) Regulations.

- 31. Comment:** The company estimates that it will use 9,250 gallons of water per hour just for dust suppression, for an 8-hour day, that is 75,000 gallons of water. (7)

Response: This is correct. The proposed draft plan approval limits the discharge of water from the wet dust suppression system (WDSS) used to control particulate matter emissions. The limits will vary depending on the construction phases for equipment. During Phase I, the maximum total allowable flow rate from the WDSS is 41.53 gallons per minute, which would equate to 2,491.8 gallons per hour and 19,934.4 gallons for an 8-hour day. During Phase II, the maximum total allowable flow rate from the WDSS is 113.09 gallons per minute, which would equate to 6,785.4 gallons per hour and 54,283.2 gallons for an 8-hour day.

General Comments – Asbestos

- 32. Comment:** A vein of asbestos was found in the quarry. (9, 14, 24)
- 33. Comment:** A vein of white asbestiform amphibole found in the quarry. (4, 30)
- 34. Comment:** Albite, a mineral that was mined in the 1970's goes into the water system and causes cancer. (11)

Response to Comments 32, 33 and 34: In a letter to the company dated January 4, 2018, DEP mandated a comprehensive investigation to determine if asbestos from mineral are present in any of the rock to be mined at the Rockhill quarry. In a letter to the company dated January 25, 2018, DEP acknowledged receipt of the monitoring plan for naturally occurring asbestos (NOA) and notified the company that the plan had been incorporated into Noncoal Surface Mining Permit No. 7974SM1. The 2nd letter lifted the order to cease all production drilling, blasting and crushing activities. Currently, there has been no findings of asbestos.

To address this concern, DEP is requiring R.E. Pierson to design and install an air monitoring program for asbestos. This supplemental air monitoring is being implemented to detect any airborne asbestos and take corrective action if needed.

The following condition is added to the permit under Additional Requirements in Section C:

- (a) The permittee shall design and implement an air monitoring program prior to the operation of the crusher, for Department approval, to detect airborne asbestos fibers around the perimeter of the quarry prior to the operation of the crusher. The air monitoring program shall include, but not be limited to, a corrective action plan in the event airborne asbestos fibers are detected above the action level. This air monitoring will supplement, not replace, physical and visual inspection that is done in accordance with the Mining Permit.*
- (b) The action level are readings or calculated airborne asbestos fiber concentrations that exceed 0.01 fibers/cc.*
- (c) The permittee shall conduct daily air samples for the week prior to the commencement of operation of the crusher and during the first week of the operation of the crusher.*
- (d) Any airborne asbestos fiber levels that are found at and around the perimeter of the site, which exceed the action level expressed in paragraph (b) above, shall:*
 - (1) be investigated;*
 - (2) be reported to the facility management, or individual(s) designated by the permittee and DEP within 24 hours at 484.250.5900*

- (3) have appropriate corrective action taken; and
- (4) be recorded in a permanent written log.
- (e) After two (2) weeks of daily monitoring with airborne asbestos fiber levels less than the action level, and upon the permittee's request, DEP will determine the feasibility of decreasing the monitoring frequency to weekly on operating days.
- (f) After one (1) month of weekly monitoring with airborne asbestos fiber levels less than the action level, and upon the permittee's request, DEP will determine the feasibility of decreasing the frequency of monitoring to monthly on operating days.
- (g) After six (6) months of monthly monitoring with airborne asbestos fiber levels less than the action level, and upon the permittee's request, DEP will determine if the monitoring may cease.
- (h) The Department reserves the right to change the above monitoring requirements at any time, based on but not limited to: the review of the physical and visual inspections, asbestos sampling and testing and/or calculated asbestos airborne fiber concentrations.

Note: The permit shall calculate the estimated airborne asbestos fiber concentration on the filter sample using the following OSHA formula as per 1910 Subpart Z, Appendix B:

Where:

$$AC = \frac{\left(\left(\frac{FB}{FL} \right) - \left(\frac{BFB}{BFL} \right) \right) \times ECA}{FR \times MFA \times T \times 1000}$$

AC = Airborne fiber concentration

FB = Total number of fibers greater than 5 µm counted

FL = Total number of fields counted on the filter

BFB = Total number of fibers greater than 5 µm counted in the blank

BFL = Total number of fields counted on the blank

ECA = Effective collecting area of filter (385 mm² nominal for a 25-mm filter.)

FR = Pump flow rate (L/min)

MFA = Microscope count field area (mm²). This is 0.00785 mm² for a Walton-Beckett Graticule.

T = Sample collection time (min)

1,000 = Conversion of L to cc

Please note: The PDMO requires asbestos testing of the rock prior to mining into a new area. The operator would be restricted from mining in an area where asbestos is present.

General Comments – Environmental Impact on Wildlife and Ecosystem

- 35. Comment:** The company did not respond to the attempts of contact from the community and proceeded to destroy acres of wildlife habitat surrounding the quarry. (13, 14, 29)
- 36. Comment:** The area surrounding the quarry has a developed ecosystem and there are many endangered species in the area. (2, 3, 13, 14, 29)
- 37. Comment:** Possible adverse environmental impact on State protected lands such as Quakertown Swamp, and Markey Park. (3, 10, 13, 14 ,16, 33)
- 38. Comment:** The deposition of particulates damages vegetation by preventing photosynthesis causing them to die and takes away a vital resource from the local wildlife as well as hampering the aesthetics of the area. (17)

Response to Comments 35, 36, 37 and 38: DEP has considered your comments but **does** not believe that the operation of the quarry will result in measurable population impacts to your species of concern. The quarry is an existing industrial site and the water in the quarry is not a lake, but a quarry pit and is regulated as such. It is not intended to provide wildlife habitat. None of the species mentioned are listed as threatened, endangered, or even candidate for listing, by federal and state agencies. Other water resources in the vicinity such as Lake Nockamixon, Tohickon Creek, East Branch Perkiomen Creek are more suitable wildlife habitats.

The mining activities will be conducted at a previously mined and industrial site. The Pennsylvania Fish and Boat Commission (PAFBC) is the designated agency to regulate and protect reptiles and amphibians. Please contact this agency to determine if they can aid in your volunteer activities. PAFBC has been contacted by the PDMO regarding the harvest of fish in the quarry lake. PDMO has relayed the information to Hanson (the Permittee). Hanson has stated they intend to comply with the PAFBC guidelines

General Comments – Hours of Operation

- 39. Comment:** The hours of operation should be specifically listed in the application. (10)

Response from N. Rockhill Township Manager: No hours of operation have been established, ordinances specify curfew hours between 10:00 p.m. to 7:00 a.m. Contractors hours are between 7:00 a.m. to 7:00 p.m., with no Sundays. Blasting is not allowed at this location between 6:00 p.m. to 7:00 a.m.

- 40. Comment:** The 1,000-tph crusher will be allowed to operate for 8 to 16 hours per day as stated in the pending permit. (7)

- 41. Comment:** The Township failed to execute jurisdiction to enforce hours of operation regulations on the company's quarrying activity. (2, 6, 27)

Response to Comments 40 and 41: The proposed plan approval limits the facility to 2,800 hours per year of operation. In addition, the following statement is contained in Exhibit-2 Site Plan and Equipment Layout Drawing Attachment, Operation Notes, to the Plan Approval Application pertaining to hours of operation: *"Blasting will occur within the mining area, subject to DEP regulations, Monday through Friday, between the hours of 9:00 a.m. and sunset. Blasting is proposed to occur no more than twice per week."*

Pursuant to 25 Pa. Code § 127.25, a person may not cause or permit the operation of an air contamination source subject to the requirements of 25 Pa. Code § 127.11 and identified in the plan approval application in a manner inconsistent with good operating practices; therefore, DEP considers all documentation submitted as part of a plan approval application to be enforceable.

General Comments – Zoning and Permits

- 42. Comment:** The company has operated the quarry without the Township denying their permit for special exception (e.g., zoning permits) and they have constructed building and have performed land developments without permits. (3, 4, 5, 31, 33, 34)
- 43. Comment:** The company is currently in litigation to obtain the necessary zoning approvals for the proposed operations at the site and DEP should suspend its review of the application until litigation is resolved. (1)

Response to Comments 42 and 43: The approval of this plan approval does not relieve the permittee from its obligations to comply with all applicable Federal, State and Local laws and regulations.

General Comments – Other Comments

- 44. Comment:** The quarry has been dormant for many years. The location of the quarry is too close to a significant residential area. (2, 5, 9, 10, 11, 16, 26)
- 45. Comment:** The permit should not be approved for the planned location. (6, 7, 8, 16, 35)
- 46. Comment:** There are two quarries that produce asphalt that are much closer to the turnpike job. (9)

Response to Comments 44, 45, 46: The location of the quarry and the contractor, R.E. Pierson, awarded the turnpike expansion project is outside of purview of this application.

- 47. Comment:** There have been no inspections of DEP permit issued for the site in many years. (9)

Response: The Pottsville District Mining Office conducted compliance and enforcement activities for this quarry prior to the submittal of the application, and conducts and has conducted inspections of this site on a routine basis. Copies of these inspection reports are contained in the permit file located in the Pottsville District Office and are available upon request for review. Their activities do not preclude the Air Quality Program from reviewing and approving this application for this crushing plant.

- 48. Comment:** The company is risking an environmental catastrophe with the gas pipeline that runs alongside of the blasting structure. (10, 33)

Response: Blasting at the quarry is conducted under the purview of the Pottsville Mining District Office. Pipeline safety is under the purview of either the Pennsylvania Utility Commission or the Federal Energy Regulatory Commission. The initial five blast events were under the supervision of the PDO's Blasting & Explosives Inspector. The distance from the quarry blasting to the pipeline is between 2500 feet and 3000 feet, depending on the location of each blast. With the initial five blasts, the PDO required the operator to monitor the pipeline for ground vibration during these blasting events. The seismic results recorded at the pipeline for each of the five blast events resulted in a "no trigger" of the seismograph. This application for plan approval is specific to the crushing plant and does not address blasting activities.

- 49. Comment:** DEP should ensure that the plan approval minimizes the environmental impact of the operation to the greatest extent possible, such as (1) increasing the frequency of the monitoring required for odors, visible emissions and fugitive emissions to two or more times per day, (2) clarify the conditions pertaining to the operation of the wet dust suppression system, specifically to ensure that the minimum flow rates in the enumerated ranges for phases one and two will be adequate to ensure dust suppression across all atmospheric conditions, (3) increase the frequency of the recordkeeping requirement for the water flow rate to once per hour during operation of the processing plant and (4) include a requirement to submit a semi-annual report to DEP. (1)

Response: Plan Approval applications are submitted for the construction of an air contamination source and/or to install and air cleaning device. Air Quality plan approvals and operating permits are issued to regulate air contamination sources.

DEP believes that the conditions in the proposed plan approval are in compliance with all applicable state and federal air pollution control regulations and compliance with these regulations will minimize the impact on the environment.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

PLAN APPROVAL

Issue Date: December 5, 2018

Effective Date: December 5, 2018

Expiration Date: May 30, 2020

In accordance with the provisions of the Air Pollution Control Act, the Act of January 8, 1960, P.L. 2119, as amended, and 25 Pa. Code Chapter 127, the Owner, [and Operator if noted] (hereinafter referred to as permittee) identified below is authorized by the Department of Environmental Protection (Department) to construct, install, modify or reactivate the air emission source(s) more fully described in the site inventory list. This Facility is subject to all terms and conditions specified in this plan approval. Nothing in this plan approval relieves the permittee from its obligations to comply with all applicable Federal, State and Local laws and regulations.

The regulatory or statutory authority for each plan approval condition is set forth in brackets. All terms and conditions in this permit are federally enforceable unless otherwise designated as "State-Only" requirements.

Plan Approval No. 09-0241

Federal Tax Id - Plant Code: 22-2975097-3

Owner Information

Name: RICHARD E PIERSON MATERIALS CORP
Mailing Address: PO BOX 714
BRIDGEPORT, NJ 08014-0714

Plant Information

Plant: HANSON AGGREGATES RICHARD E PIERSON OPR
Location: 09 Bucks County 09922 East Rockhill Township
SIC Code: 1422 Mining - Crushed And Broken Limestone

Responsible Official

Name: JIM ALLEN
Title: QUARRY GENERAL MANAGER
Phone: (856) 467 - 1421

Plan Approval Contact Person

Name: JIM ALLEN
Title: QUARRY GENERAL MANAGER
Phone: (856) 467 - 1421

[Signature]


JAMES D. REBARCHAK, SOUTHEAST REGION AIR PROGRAM MANAGER



Plan Approval Description

Plan Approval for the construction of a 1,000-ton per hour non-metallic mineral processing plant equipped with a wet suppression system.

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- D-I: Restrictions
- D-II: Testing Requirements
- D-III: Monitoring Requirements
- D-IV: Recordkeeping Requirements
- D-V: Reporting Requirements
- D-VI: Work Practice Standards
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Note: These same sub-sections are repeated for each source!

Section E. Alternative Operating Scenario(s)

- E-I: Restrictions
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- E-IV: Recordkeeping Requirements
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- E-VI: Work Practice Standards
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Section F. Emission Restriction Summary

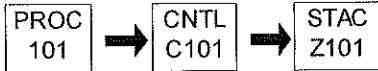


SECTION A. Table of Contents

Section G. Miscellaneous

**SECTION A. Plan Approval Inventory List**

Source ID	Source Name	Capacity/Throughput	Fuel/Material
101	1,000-TPH NON-METALLIC MINERAL PROCESSING PLANT	1,000.000 Tons/HR	DIABASE STONE
C101	WET DUST SUPPRESSION SYSTEM	N/A	
Z101	FUGITIVE PARTICULATE MATTER		

PERMIT MAPS

**SECTION B. General Plan Approval Requirements****#001 [25 Pa. Code § 121.1]****Definitions**

Words and terms that are not otherwise defined in this plan approval shall have the meanings set forth in Section 3 of the Air Pollution Control Act (35 P.S. § 4003) and 25 Pa. Code § 121.1.

#002 [25 Pa. Code § 127.12b (a) (b)]**Future Adoption of Requirements**

The issuance of this plan approval does not prevent the future adoption by the Department of any rules, regulations or standards, or the issuance of orders necessary to comply with the requirements of the Federal Clean Air Act or the Pennsylvania Air Pollution Control Act, or to achieve or maintain ambient air quality standards. The issuance of this plan approval shall not be construed to limit the Department's enforcement authority.

#003 [25 Pa. Code § 127.12b]**Plan Approval Temporary Operation**

This plan approval authorizes temporary operation of the source(s) covered by this plan approval provided the following conditions are met.

(a) When construction, installation, modification, or reactivation is being conducted, the permittee shall provide written notice to the Department of the completion of the activity approved by this plan approval and the permittee's intent to commence operation at least five (5) working days prior to the completion of said activity. The notice shall state when the activity will be completed and when the permittee expects to commence operation. When the activity involves multiple sources on different time schedules, notice is required for the commencement of operation of each source.

(b) Pursuant to 25 Pa. Code § 127.12b (d), temporary operation of the source(s) is authorized to facilitate the shakedown of sources and air cleaning devices, to permit operations pending the issuance of a permit under 25 Pa. Code Chapter 127, Subchapter F (relating to operating permits) or Subchapter G (relating to Title V operating permits) or to permit the evaluation of the air contaminant aspects of the source.

(c) This plan approval authorizes a temporary operation period not to exceed 180 days from the date of commencement of operation, provided the Department receives notice from the permittee pursuant to paragraph (a), above.

(d) The permittee may request an extension of the 180-day shakedown period if further evaluation of the air contamination aspects of the source(s) is necessary. The request for an extension shall be submitted, in writing, to the Department at least 15 days prior to the end of the initial 180-day shakedown period and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance, and the reasons compliance has not been established. This temporary operation period will be valid for a limited time and may be extended for additional limited periods, each not to exceed 180 days.

(e) The notice submitted by the permittee pursuant to subpart (a) above, prior to the expiration of the plan approval, shall modify the plan approval expiration date on Page 1 of this plan approval. The new plan approval expiration date shall be 180 days from the date of commencement of operation.

#004 [25 Pa. Code § 127.12(a) (10)]**Content of Applications**

The permittee shall maintain and operate the sources and associated air cleaning devices in accordance with good engineering practice as described in the plan approval application submitted to the Department.

#005 [25 Pa. Code §§ 127.12(c) and (d) & 35 P.S. § 4013.2]**Public Records and Confidential Information**

(a) The records, reports or information obtained by the Department or referred to at public hearings shall be available to the public, except as provided in paragraph (b) of this condition.

(b) Upon cause shown by the permittee that the records, reports or information, or a particular portion thereof, but not emission data, to which the Department has access under the act, if made public, would divulge production or sales figures or methods, processes or production unique to that person or would otherwise tend to affect adversely the

**SECTION B. General Plan Approval Requirements**

competitive position of that person by revealing trade secrets, including intellectual property rights, the Department will consider the record, report or information, or particular portion thereof confidential in the administration of the act. The Department will implement this section consistent with sections 112(d) and 114(c) of the Clean Air Act (42 U.S.C.A. § 7412(d) and 7414(c)). Nothing in this section prevents disclosure of the report, record or information to Federal, State or local representatives as necessary for purposes of administration of Federal, State or local air pollution control laws, or when relevant in a proceeding under the act.

#006 [25 Pa. Code § 127.12b]**Plan Approval terms and conditions.**

[Additional authority for this condition is derived from 25 Pa. Code Section 127.13]

(a) This plan approval will be valid for a limited time, as specified by the expiration date contained on Page 1 of this plan approval. Except as provided in § 127.11a and 127.215 (relating to reactivation of sources; and reactivation), at the end of the time, if the construction, modification, reactivation or installation has not been completed, a new plan approval application or an extension of the previous approval will be required.

(b) If construction has commenced, but cannot be completed before the expiration of this plan approval, an extension of the plan approval must be obtained to continue construction. To allow adequate time for departmental action, a request for the extension shall be postmarked at least thirty (30) days prior to the expiration date. The request for an extension shall include the following:

- (i) A justification for the extension,
- (ii) A schedule for the completion of the construction

If construction has not commenced before the expiration of this plan approval, then a new plan approval application must be submitted and approval obtained before construction can commence.

(c) If the construction, modification or installation is not commenced within 18 months of the issuance of this plan approval or if there is more than an 18-month lapse in construction, modification or installation, a new plan approval application that meets the requirements of 25 Pa. Code Chapter 127, Subchapter B (related to plan approval requirements), Subchapter D (related to prevention of significant deterioration of air quality), and Subchapter E (related to new source review) shall be submitted. The Department may extend the 18-month period upon a satisfactory showing that an extension is justified.

#007 [25 Pa. Code § 127.32]**Transfer of Plan Approvals**

(a) This plan approval may not be transferred from one person to another except when a change of ownership is demonstrated to the satisfaction of the Department and the Department approves the transfer of the plan approval in writing.

(b) Section 127.12a (relating to compliance review) applies to a request for transfer of a plan approval. A compliance review form shall accompany the request.

(c) This plan approval is valid only for the specific source and the specific location of the source as described in the application.

#008 [25 Pa. Code § 127.12(4) & 35 P.S. § 4008 & § 114 of the CAA]**Inspection and Entry**

(a) Pursuant to 35 P.S. § 4008, no person shall hinder, obstruct, prevent or interfere with the Department or its personnel in the performance of any duty authorized under the Air Pollution Control Act.

(b) The permittee shall also allow the Department to have access at reasonable times to said sources and associated air cleaning devices with such measuring and recording equipment, including equipment recording visual observations, as the Department deems necessary and proper for performing its duties and for the effective enforcement of the Air Pollution Control Act and regulations adopted under the act.

**SECTION B. General Plan Approval Requirements**

(c) Nothing in this plan approval condition shall limit the ability of the Environmental Protection Agency to inspect or enter the premises of the permittee in accordance with Section 114 or other applicable provisions of the Clean Air Act.

#009 [25 Pa. Code 127.13a]**Plan Approval Changes for Cause**

This plan approval may be terminated, modified, suspended or revoked and reissued if one or more of the following applies:

(a) The permittee constructs or operates the source subject to the plan approval in violation of the act, the Clean Air Act, the regulations promulgated under the act or the Clean Air Act, a plan approval or permit or in a manner that causes air pollution.

(b) The permittee fails to properly or adequately maintain or repair an air pollution control device or equipment attached to or otherwise made a part of the source.

(c) The permittee fails to submit a report required by this plan approval.

(d) The Environmental Protection Agency determines that this plan approval is not in compliance with the Clean Air Act or the regulations thereunder.

#010 [25 Pa. Code §§ 121.9 & 127.216]**Circumvention**

(a) The permittee, or any other person, may not circumvent the new source review requirements of 25 Pa. Code Chapter 127, Subchapter E by causing or allowing a pattern of ownership or development, including the phasing, staging, delaying or engaging in incremental construction, over a geographic area of a facility which, except for the pattern of ownership or development, would otherwise require a permit or submission of a plan approval application.

(b) No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of this plan approval, the Air Pollution Control Act or the regulations promulgated thereunder, except that with prior approval of the Department, the device or technique may be used for control of malodors.

#011 [25 Pa. Code § 127.12c]**Submissions**

Reports, test data, monitoring data, notifications shall be submitted to the:

Regional Air Program Manager

PA Department of Environmental Protection

(At the address given on the plan approval transmittal letter or otherwise notified)

#012 [25 Pa. Code § 127.12(9) & 40 CFR Part 68]**Risk Management**

(a) If required by Section 112(r) of the Clean Air Act, the permittee shall develop and implement an accidental release program consistent with requirements of the Clean Air Act, 40 CFR Part 68 (relating to chemical accident prevention provisions) and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (P.L. 106-40).

(b) The permittee shall prepare and implement a Risk Management Plan (RMP) which meets the requirements of Section 112(r) of the Clean Air Act, 40 CFR Part 68 and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act when a regulated substance listed in 40 CFR § 68.130 is present in a process in more than the listed threshold quantity at the facility. The permittee shall submit the RMP to the Environmental Protection Agency according to the following schedule and requirements:

(1) The permittee shall submit the first RMP to a central point specified by the Environmental Protection Agency no later than the latest of the following:

**SECTION B. General Plan Approval Requirements**

- (i) Three years after the date on which a regulated substance is first listed under § 68.130; or,
- (ii) The date on which a regulated substance is first present above a threshold quantity in a process.

(2) The permittee shall submit any additional relevant information requested by the Department or the Environmental Protection Agency concerning the RMP and shall make subsequent submissions of RMPs in accordance with 40 CFR § 68.190.

(3) The permittee shall certify that the RMP is accurate and complete in accordance with the requirements of 40 CFR Part 68, including a checklist addressing the required elements of a complete RMP.

(c) As used in this plan approval condition, the term "process" shall be as defined in 40 CFR § 68.3. The term "process" means any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances or any combination of these activities. For purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process.

#013 [25 Pa. Code § 127.25]**Compliance Requirement**

A person may not cause or permit the operation of a source subject to § 127.11 (relating to plan approval requirements), unless the source and air cleaning devices identified in the application for the plan approval and the plan approval issued to the source, are operated and maintained in accordance with specifications in the application and conditions in the plan approval issued by the Department. A person may not cause or permit the operation of an air contamination source subject to this chapter in a manner inconsistent with good operating practices.

SECTION C. Site Level Plan Approval Requirements**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The total particulate matter emissions from the facility shall not exceed 7.8 tons per year as particulate matter (PM) and/or PM10.

[Note: Particulate Matter (PM) means any finely divided solid or liquid material, other than uncombined water. PM10 refers to the aggregate of solid or liquid matter in air with aerodynamic diameters less than 10 micrometers.]

002 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

No person may permit the emission into the outdoor atmosphere of a fugitive air contaminant from a source other than the following:

- (a) Construction or demolition of buildings or structures.
- (b) Grading, paving and maintenance of roads and streets.
- (c) Use of roads and streets. Emissions from material in or on trucks, railroad cars and other vehicular equipment are not considered as emissions from use of roads and streets.
- (d) Clearing of land.
- (e) Stockpiling of materials.
- (f) Open burning operations, as specified in 25 Pa. Code § 129.14.
- (g) Blasting in open pit mines. Emissions from drilling are not considered as emissions from blasting.
- (h) Coke oven batteries, provided the fugitive air contaminants emitted from any coke oven battery comply with the standards for visible fugitive emissions in 25 Pa. Code §§ 123.44 and 129.15 (relating to limitations of visible fugitive air contaminants from operation of any coke oven battery; and coke pushing operations).
- (i) Sources and classes of sources other than those identified in (a) -- (h) above, for which the operator has obtained a determination from the Department, in accordance with 25 Pa. Code §123.1(b), that fugitive emissions from the source, after appropriate control, meet the following requirements:
 - (1) The emissions are of minor significance with respect to causing air pollution; and
 - (2) The emissions are not preventing or interfering with the attainment or maintenance of any ambient air quality standard.

003 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

No person may permit air pollution as that term is defined in the Air Pollution Control Act (35 P.S. Section 4003).

004 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The opacity limitations as per 25 Pa. Code § 123.41 shall not apply to a visible emission in either of the following instances:

- (a) when the presence of uncombined water is the only reason for failure to meet the limitations; or
- (b) when the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.
- (c) when the emission results from the sources specified in 25 Pa. Code § 123.1(a)(1)-(9) (relating to prohibition of certain

**SECTION C. Site Level Plan Approval Requirements**

fugitive emissions).

005 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

A person may not permit the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:

- (a) Equal to or greater than 20% for a period or periods aggregating more than three (3) minutes in any one (1) hour.
- (b) Equal to or greater than 60% at any time.

006 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

A person may not permit fugitive particulate matter to be emitted into the outdoor atmosphere from a source specified in 25 Pa. Code § 123.1(a)(1)-(9) (relating to prohibition of certain fugitive emissions) if such emissions are visible at the point the emissions pass outside the person's property.

007 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

A person may not permit the emission into the outdoor atmosphere of any malodorous air contaminants from any source in such a manner that the malodors are detectable outside the property of the person on whose land the source is being operated.

008 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

No person may permit the open burning of material in the Southeast Air Basin except when the open burning operations results from:

- (a) A fire set to prevent or abate a fire hazard, when approved by the Department and set by or under the supervision of a public officer.
- (b) Any fire set for the purpose of instructing personnel in fire fighting, when approved by the Department.
- (c) A fire set for the prevention and control of disease or pests, when approved by the Department.
- (d) a fire set in conjunction with the production of agricultural commodities in their unmanufactured state on the premises of the farm operation.
- (e) a fire set for the purpose of burning domestic refuse, when the fire is on the premises of a structure occupied solely as a dwelling by two families or less and when the refuse results from the normal occupancy of the structure.
- (f) A fire set solely for recreational or ceremonial purposes.
- (g) A fire set solely for cooking food.

Throughput Restriction(s).**# 009 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

(a) Only nonmetallic mineral may be processed at this facility. Nonmetallic mineral means any of the following minerals or any mixture of which the majority is any of the following minerals: diabase stone.

(b) Nonmetallic minerals do not include coals of any type.

**SECTION C. Site Level Plan Approval Requirements****II. TESTING REQUIREMENTS.****# 010 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

(a) If at any time the Department has cause to believe that air contaminant emissions from any source(s) listed in Section A, of this Permit, may be in excess of the limitations specified in this Permit, or established pursuant to, any applicable rule or regulation contained in 25 Pa. Code Article III, the permittee shall be required to conduct whatever tests are deemed necessary by the Department to determine the actual emission rate(s).

(b) Such testing shall be conducted in accordance with the provisions of 25 Pa. Code Chapter 139, and the most current version of the DEP Source Testing Manual, when applicable, and in accordance with any restrictions or limitations established by the Department at such time as it notifies the permittee that testing is required.

011 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

(a) The permittee shall submit one paper copy plus one electronic copy of all source test submissions (notifications, protocols, reports, supplemental information, etc.) to both the AQ Program Manager for the Southeast Regional Office and the PSIMS Administrator in Central Office (mail and email addresses are provided below). Any questions or concerns about source testing submissions can be sent to RA-EPstacktesting@pa.gov and the PSIMS Administrator will address them.

(b) The following pertinent information shall be listed on the title page.

1. Test Date(s)

a. For protocols, provide the proposed date on which testing will commence or "TBD"

b. For reports, provide the first and last day of testing

2. Facility Identification Number (Facility - ID): For test programs that were conducted under a multi-site protocol, also include the PF Id under which the protocol was stored in PSIMS, as indicated in the protocol response letter.

3. Source ID(s) for the applicable source(s) and air pollution control device(s): The term Source ID is used in the permit but "Other Id" is used in DEP electronic systems. They are the same number and must also be listed for control equipment

4. Testing Requirements (all that apply)

a. Plan approval number(s)

b. Operating permit number

c. Applicable federal subpart(s) (i.e. 40 CFR 60, Subpart JJJJ)

d. Special purpose(s) (Consent Order, RFD, RACT II, Tier II, etc.)

(c) Mail all paper submissions to both the PSIMS Administrator and the Air Quality Program Manager for the Southeast Regional Office. Mailing addresses are provided below.

Central Office

Pennsylvania Department of Environmental Protection

Attn: PSIMS Administrator

P.O. Box 8468

Harrisburg, PA 17105-8468

Southeast Region

Pennsylvania Department of Environmental Protection

Attn: Air Quality Program Manager

2 East Main Street

Norristown, PA 19401

(d) Eliminate shading, color ink for data emphasis, small font size, and color saturation as the scanning to create an electronic file is done in black and white. Shading and color emphasis do not scan well and make the electronic copies difficult to read.

**SECTION C. Site Level Plan Approval Requirements**

(e) Email all electronic submissions to both the PSIMS Administrator in Central Office and the Air Quality Program Manager for the Southeast Regional Office. Email addresses are provided below.

Central Office
RA-EPstacktesting@pa.gov

Southeast Region
RA-EPSEstacktesting@pa.gov

(f) The Department limits emails to 15 MB and PSIMS has a file size limitation of 100 MB for electronic files. Submit just one electronic file (convert any Microsoft Word or Excel files to an Adobe PDF format and combine them with the report or protocol), unless the submission contains CONFIDENTIAL information.

(g) If confidential information must be submitted, submit both a public copy, which has been redacted, and a confidential copy. The cover page of each submittal should state whether it is a "Public Copy" or "Confidential Copy" and each page of the latter must be marked "CONFIDENTIAL".

III. MONITORING REQUIREMENTS.**# 012 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[Additional authority for this permit condition is also derived from 25 Pa. Code § 127.511.]

(a) The permittee shall monitor the facility, once per operating day, for the following:

- (1) odors which may be objectionable (as per 25 Pa. Code §123.31);
- (2) visible emissions (as per 25 Pa. Code §§123.41 and 123.42); and
- (3) fugitive particulate matter (as per 25 Pa. Code §§ 123.1 and 123.2).

(b) Objectionable odors, which may cause annoyance or discomfort to the public noticed at the site property boundaries that are caused or may be caused by operations at the site, as well as fugitive particulate emissions that originated on-site and cross the property line, and visible emissions that originated on site shall:

- (1) be investigated;
- (2) be reported to the facility management, or individual(s) designated by the permittee;
- (3) have appropriate corrective action taken (for emissions that originate on-site); and
- (4) be recorded in a permanent written log.

013 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Visible emissions may be measured using either of the following:

- (1) A device approved by the Department and maintained to provide accurate opacity measurements.
- (2) Observers, trained and qualified to measure plume opacity with the naked eye or with the aid of any devices approved by the Department.

IV. RECORDKEEPING REQUIREMENTS.**# 014 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

Within thirty (30) days after permit issuance the permittee shall submit, to the Department for approval, the proposed recordkeeping formats required in this plan approval.

015 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The permittee shall maintain records of all the facility's increases of emissions from the following categories:

**SECTION C. Site Level Plan Approval Requirements**

- (a) emissions increase of minor significance without notification to the Department.
- (b) de minimis increases with notification to the Department, via letter.
- (c) increases resulting from a Request for Determination (RFD) to the Department.
- (d) increases resulting from the issuance of a plan approval and subsequent operating permit.

016 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The permittee shall maintain a record of all monitoring of fugitive emissions, visible emissions and odors, including those that deviate from the conditions found in this permit. The record of deviations shall contain, at a minimum, the following items:

- (a) date, time, and location of the incident(s);
- (b) the cause of the event; and
- (c) the corrective action taken, if necessary, to abate the situation and prevent future occurrences.

017 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Source owners or operators shall maintain and make available upon request by the Department records including computerized records that may be necessary to comply with 25 Pa. Code §§ 135.3 and 135.21 (relating to reporting; and emission statements). These may include records of production, fuel usage, maintenance of production or pollution control equipment or other information determined by the Department to be necessary for identification and quantification of potential and actual air contaminant emissions. If direct recordkeeping is not possible or practical, sufficient records shall be kept to provide the needed information by indirect means.

018 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

- (a) The permittee shall maintain a record of the monitoring conducted to determine the presence of malodors, fugitive particulate emissions and visible emissions.
- (b) This recordkeeping shall contain a listing or notation of any and all sources of fugitive and visible emissions; the cause of the fugitive or visible emissions; duration of the emission; and the corrective action taken to abate the deviation and prevent future occurrences.

019 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The permittee shall keep a log of the dates and time of application of water to the roadways.

020 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The permittee shall record particulate matter emissions for the facility, as PM and PM₁₀, on a monthly basis and as a 12-month rolling sum.

021 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

- (a) The permittee shall calculate and record the following on a daily basis:
 - (1) The amount of material processed by the 1,000-tph non-metallic mineral processing plant (Source ID: 101).
 - (2) The hours of operation of the 1,000-tph non-metallic mineral processing plant (Source ID: 101).
- (b) The permittee shall calculate and record following on a monthly basis and as a 12-month rolling sum:
 - (1) The total amount of material processed by the 1,000-tph non-metallic mineral processing plant (Source ID: 101).
 - (2) The hours of operation for the 1,000-tph nonmetallic mineral processing plant (Source ID: 101).

**SECTION C. Site Level Plan Approval Requirements****V. REPORTING REQUIREMENTS.****# 022 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[Additional authority for this permit condition is also derived from §40 CFR Part 68.]

(a) If required by Section 112(r) of the Clean Air Act, the permittee shall develop and implement an accidental release program consistent with requirements of the Clean Air Act, §40 CFR Part 68 (relating to chemical accident prevention provisions) and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (P.L. 106-40).

(b) The permittee shall prepare and implement a Risk Management Plan (RMP) which meets the requirements of Section 112(r) of the Clean Air Act, §40 CFR Part 68 and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act when a regulated substance listed in §40 CFR 68.130 is present in a process in more than the threshold quantity at a facility. The permittee shall submit the RMP to the federal Environmental Protection Agency according to the following schedule and requirements:

(1) The permittee shall submit the first RMP to a central point specified by EPA no later than the latest of the following:

(i) Three years after the date on which a regulated substance is first listed under §40 CFR 68.130; or,

(ii) The date on which a regulated substance is first present above a threshold quantity in a process.

(2) The permittee shall submit any additional relevant information requested by the Department or EPA concerning the RMP and shall make subsequent submissions of RMPs in accordance with §40 CFR 68.190.

(3) The permittee shall certify that the RMP is accurate and complete in accordance with the requirements of §40 CFR Part 68, including a checklist addressing the required elements of a complete RMP.

(c) As used in this permit condition, the term "process" shall be as defined in §40 CFR 68.3. The term "process" means any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances or any combination of these activities. For purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process.

(d) If this facility is subject to §40 CFR Part 68, as part of the certification required under this permit, the permittee shall:

(1) Submit a compliance schedule for satisfying the requirements of §40 CFR Part 68 by the date specified in §40 CFR 68.10(a); or,

(2) Certify that this facility is in compliance with all requirements of §40 CFR Part 68 including the registration and submission of the RMP.

(e) If this facility is subject to §40 CFR Part 68, the permittee shall maintain records supporting the implementation of an accidental release program for five (5) years in accordance with §40 CFR 68.200.

(f) When this facility is subject to the accidental release program requirements of Section 112(r) of the Clean Air Act and §40 CFR Part 68, appropriate enforcement action will be taken by the Department if the permittee fails to register and submit the RMP or a revised plan pursuant to §40 CFR Part 68.

023 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The permittee shall submit all requests, reports, applications, submittals, and other communications to the Regional Office of the Department. The copies shall be forwarded to:

Regional Air Quality Manager
PA Department of Environmental Protection
2 East Main Street
Norristown, PA 19401-4915

SECTION C. Site Level Plan Approval Requirements**# 024 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

(a) The permittee shall, within two (2) hours, of becoming knowledgeable, of any occurrence, notify the Department, at (484) 250-5920, of any malfunction of the source(s) or associated air pollution control devices listed in Section A, of this permit, which results in, or may possibly result in, the emission of air contaminants in excess of the limitations specified in this permit, or regulation contained in 25 Pa. Code Article III.

(b) Malfunction(s) which occur at this facility, and pose(s) an imminent danger to public health, safety, welfare and the environment, and would violate permit conditions if the source were to continue to operate after the malfunction, shall immediately be reported to the Department by telephone at the above number.

(c) A written report shall be submitted to the Department within two (2) working days following the notification of the incident, and shall describe, at a minimum, the following:

- (1) The malfunction(s).
- (2) The emission(s).
- (3) The duration.
- (4) Any corrective action taken.

025 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

If the permittee has been previously advised by the Department to submit a source report, the permittee shall submit by March 1, of each year, a source report for the preceding calendar year. The report shall include information from all previously reported sources, new sources which were first operated during the preceding calendar year, and sources modified during the same period which were not previously reported, including those sources listed in the Miscellaneous Section of this permit.

The permittee may request an extension of time from the Department for the filing of a source report, and the Department may grant the extension for reasonable cause.

VI. WORK PRACTICE REQUIREMENTS.**# 026 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The permittee shall ensure that the source(s) and air pollution control device(s), listed in Section A and Section G, where applicable, of this permit, are operated and maintained in a manner consistent with good operating and maintenance practices, and in accordance with manufacturer's specifications.

027 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

A person responsible for any source specified in specified 25 Pa. Code § 123.1 shall take all reasonable actions to prevent particulate matter from becoming airborne. These actions shall include, but not be limited to, the following:

- (1) Use, where possible, of water or chemicals for control of dust in the demolition of buildings or structures, construction operations, the grading of roads, or the clearing of land.
- (2) Application of asphalt, oil, water or suitable chemicals on dirt roads, material stockpiles and other surfaces which may give rise to airborne dusts.
- (3) Paving and maintenance of roadways.
- (4) Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

028 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The permittee shall immediately, upon discovery, implement measures, which may include the application for the

**SECTION C. Site Level Plan Approval Requirements**

installation of an air cleaning device(s), if necessary, to reduce the air contaminant emissions to within applicable limitations, if at any time the operation of the source(s) identified in Section A of this permit, is causing the emission of air contaminants in excess of the limitations specified in, or established pursuant to, 25 Pa. Code Article III, or any other applicable rule promulgated under the Clean Air Act.

029 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

All trucks carrying product from the site must tarp their loads.

VII. ADDITIONAL REQUIREMENTS.**# 030 [25 Pa. Code §127.12b]**

Plan approval terms and conditions.

(a) If construction has not commenced before the expiration of this Plan Approval, then a new Plan Approval application must be submitted and approval obtained before construction can commence.

(b) If the construction has commenced, but cannot be completed before the expiration of this Plan Approval, an extension of the expiration date must be obtained to continue construction. To assure acceptance, a request for an extension must be postmarked at least (30) days prior to the expiration date. The Department cannot issue an extension after the expiration date. The request shall include:

- (1) A justification for the extension,
- (2) A schedule for completion of construction, and, when required by the Department,
- (3) A re-analysis if Best Available Technology (BAT) as required by 25 Pa. Code §127.12 (a)(5).

031 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

The permittee shall ensure the following:

(a) the wind speed and wind direction shall be monitored continuously each operating day, in maximum increments of 30-60 seconds, by means of an automated weather station.

(b) If at any time the automated weather station does not monitor either wind speed or wind direction, then monitoring of wind speed and/or wind direction shall be performed manually and recorded at least twice each operating day until the weather station has been repaired or replaced and has resumed monitoring the wind speed and wind direction.

(c) If the automated weather station stops monitoring or recording the wind speed or wind direction as a result of a malfunction, within two (2) hours of discovery of the malfunction, the permittee shall take steps to have the automated weather station repaired or replaced; this may involve, but not be limited to, calling a service technician or submitting an order to have the automated weather station repaired or replaced.

032 [25 Pa. Code §127.12b]

Plan approval terms and conditions.

(a) The permittee shall design and implement an air monitoring program prior to the operation of the crusher, for Department approval, to detect airborne asbestos fibers around the perimeter of the quarry prior to the operation of the crusher. The air monitoring program shall include, but not be limited to, a corrective action plan in the event airborne asbestos fibers are detected above the action level. This air monitoring will supplement, not replace, physical and visual inspection that is done in accordance with the Mining Permit.

(b) The action level are readings or calculated airborne asbestos fiber concentrations that exceed 0.01 fibers/cc.

(c) The permittee shall conduct daily air samples for the week prior to the commencement of operation of the crusher and during the first week of the operation of the crusher.

(d) Any airborne asbestos fiber levels that are found at and around the perimeter of the site, which exceed the action level expressed in paragraph (b) above, shall:

**SECTION C. Site Level Plan Approval Requirements**

- (1) be investigated;
 - (2) be reported to the facility management, or individual(s) designated by the permittee and DEP within 24 hours at 484.250.5900
 - (3) have appropriate corrective action taken; and
 - (4) be recorded in a permanent written log.
- (e) After two (2) weeks of daily monitoring with airborne asbestos fiber levels less than the action level, and upon the permittee's request, DEP will determine the feasibility of decreasing the monitoring frequency to weekly on operating days.
- (f) After one (1) month of weekly monitoring with airborne asbestos fiber levels less than the action level, and upon the permittee's request, DEP will determine the feasibility of decreasing the frequency of monitoring to monthly on operating days.
- (g) After six (6) months of monthly monitoring with airborne asbestos fiber levels less than the action level, and upon the permittee's request, DEP will determine if the monitoring may cease.
- (h) The Department reserves the right to change the above monitoring requirements at any time, based on but not limited to: the review of the physical and visual inspections, asbestos sampling and testing and/or calculated asbestos airborne fiber concentrations.

Note: The permit shall calculate the estimated airborne asbestos fiber concentration on the filter sample using the following OSHA formula as per 1910 Subpart Z, Appendix B:

Where:

$$AC = ((FB/FL) - (BFB/BFL)) \times ECA / FR \times MFA \times T \times 1000$$

AC = Airborne fiber concentration
 FB = Total number of fibers greater than 5 µm counted
 FL = Total number of fields counted on the filter
 BFB = Total number of fibers greater than 5 µm counted in the blank
 BFL = Total number of fields counted on the blank
 ECA = Effective collecting area of filter (385 mm² nominal for a 25-mm filter.)
 FR = Pump flow rate (L/min)
 MFA = Microscope count field area (mm²). This is 0.00785 mm² for a Walton-Beckett Graticule.
 T = Sample collection time (min)
 1,000 = Conversion of L to cc

033 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

(a) This section shall apply to any person who produces, sell, supplies, offers for sale or supply, uses, applies or transports any of the following materials:

(1) Aggregate material extracted from property where any portion of the area is located in a geographic ultramafic rock unit; or

(2) Any portion of the area has naturally-occurring asbestos, serpentine, or ultramafic rock as determined by the owner/operator, or

(3) The naturally-occurring asbestos, serpentine, or ultramafic rock is discovered by the owner/operator, a registered geologist, in the area to be disturbed after the start of any construction, grading, quarrying, or surface mining operation.

(b) The permittee must ensure that an Asbestos Dust Mitigation Plan for the operation has been:

**SECTION C. Site Level Plan Approval Requirements**

(1) Submitted to and approved by DEP before the start of any construction or grading activity; and

(2) The provisions of that dust mitigation plan are implemented at the beginning and maintained throughout the duration of the construction or grading activity.

(c) All parties involved in the collection, processing, and analysis of potential asbestos containing aggregate shall implement the following guidelines specified in EPA's Method 435 to ensure more accurate and repeatable M435 asbestos content measurements which ultimately lead to better-informed decisions regarding naturally occurring asbestos related projects.

(1) Increase the number of random (grab) samples for each test in situations of observed heterogeneity. (M435 requires a minimum of three grab samples).

(2) If sampling from piles, use insertion tubes instead of round point shovels or use a front loader to obtain a smaller sample from various levels and locations of the larger pile before subsampling.

(3) Choose to sample aggregates on conveyor belts closest to the final product rather than piles if at all possible.

(4) Aim for a field sample volume of approximately two to three liters.

034 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.670]

Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants

Applicability and designation of affected facility.

The sources and equipment (i.e., crushers, feeders, conveyors, etc.) comprising the 1,00-tph non-metallic mineral processing plant (Source ID: 101) at the Richard E. Pierson Material Corp - Hanson Quarry are subject to 40 C.F.R. 60, Subpart OOO - Standards of Performance for Nonmetallic Processing Plants.

VIII. COMPLIANCE CERTIFICATION.

No additional compliance certifications exist except as provided in other sections of this plan approval including Section B (relating to Plan Approval General Requirements).

IX. COMPLIANCE SCHEDULE

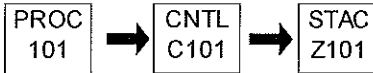
No compliance milestones exist.

**SECTION D. Source Level Plan Approval Requirements**

Source ID: 101

Source Name: 1,000-TPH NON-METALLIC MINERAL PROCESSING PLANT

Source Capacity/Throughput: 1,000.000 Tons/HR DIABASE STONE

**I. RESTRICTIONS.****Operation Hours Restriction(s).****# 001 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The total hours of operation for the 1,000-tph non-metallic mineral processing plant (Source ID: 101) shall not exceed 2,800 hours per year as a 12-month rolling sum.

Throughput Restriction(s).**# 002 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

(a) The maximum rated capacity of the 1,000-tph non-metallic mineral processing plant (Source ID: 101) is 1,006 tons per hour (TPH).

(b) The hourly throughput of stone through the 1,000-tph non-metallic mineral processing plant (Source ID: 101) shall not exceed the rated capacity.

II. TESTING REQUIREMENTS.**# 003 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

(a) The permittee shall perform a stack test using the Department-approved procedures, to show compliance with the emission limits set for the source. The Source testing shall be performed within 180 days after the completion of Phase I. Source testing shall be performed for the following pollutants: visible emissions/opacity. Performance tests shall be conducted while the source is operating at maximum routine operating conditions or under such other conditions, within the capacity of the equipment, as may be requested by the Department.

(b) At least thirty (30) days prior to the test, the permittee shall submit to the Department for approval the procedures for the test and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples.

(c) The test shall, at a minimum, test for visible emissions/opacity. Tests shall be conducted in accordance with the provisions of 40 CFR § 60.675 and Method 9 (Visual Opacity) or other Department approved methodology and 25 Pa. Code Chapter 139.

(d) At least thirty (30) days prior to the test, the Regional Air Quality Manager, shall be informed of the date and time of the test.

(e) Within sixty (60) days after the source test(s), two copies of the complete test report, including all operating conditions, shall be submitted to the Regional Air Quality Manager for approval.

(f) In the event that any of the above deadlines cannot be met, the permittee may request an extension for the due date(s) in writing and include a justification for the extension. The Department may grant an extension for a reasonable cause.

III. MONITORING REQUIREMENTS.**# 004 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

**SECTION D. Source Level Plan Approval Requirements**

The permittee shall monitor the hours of operation of the 1,000-tph non-metallic mineral processing plant (Source ID: 101) on a daily basis.

005 [25 Pa. Code §127.12b]
Plan approval terms and conditions.

The permittee shall monitor the PM/PM10* emissions from the 1,000-tph non-metallic mineral processing plant (Source ID: 101) on a monthly basis.

[Note: *total particulate matter (PM) and particulate matter less than 10 microns (PM10).]

006 [25 Pa. Code §127.12b]
Plan approval terms and conditions.

The permittee shall monitor the visible and fugitive particulate emissions from the plant on a daily basis, when the plant is in operation.

007 [25 Pa. Code §127.12b]
Plan approval terms and conditions.

On a daily basis, the permittee shall monitor the throughput of stone through the 1,000-tph non-metallic mineral processing plant (Source ID: 101).

IV. RECORDKEEPING REQUIREMENTS.

008 [25 Pa. Code §127.12b]
Plan approval terms and conditions.

The permittee shall record the PM/PM10* emissions from the 1,000-tph non-metallic mineral processing plant (Source ID: 101) on a monthly basis.

[Note: *total particulate matter (PM) and particulate matter less than 10 microns (PM10).]

009 [25 Pa. Code §127.12b]
Plan approval terms and conditions.

The permittee shall record the hours of operation of the 1,000-tph non-metallic mineral processing plant (Source ID: 101) on a daily basis.

010 [25 Pa. Code §127.12b]
Plan approval terms and conditions.

The permittee shall keep records of the daily visible and fugitive particulate emissions readings from the non-metallic mineral processing plant when in operation.

011 [25 Pa. Code §127.12b]
Plan approval terms and conditions.

On a daily basis, the permittee shall calculate and record the throughput of stone through the 1,000-tph non-metallic mineral processing plant (Source ID: 101) on an average hourly basis.

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this plan approval including Section B (Plan Approval General Requirements).

VI. WORK PRACTICE REQUIREMENTS.

012 [25 Pa. Code §127.12b]
Plan approval terms and conditions.

(a) The wet dust suppression system (WDSS) (Source ID: C101) associated with the 1,000-tph non-metallic mineral processing plant (Source ID: 101) shall be operated on any and all occasions that the 1,000-tph non-metallic mineral processing plant (Source ID: 101) is operated, except in those unusual circumstances where processed materials contain

**SECTION D. Source Level Plan Approval Requirements**

sufficient moisture such that operation of the 1,000-tph non-metallic processing plant (Source ID: 101) without the simultaneous operation of the WDSS (Source ID: C101) can take place without creating fugitive emissions in excess of the limitations specified in this permit. If, however, the WDSS (Source ID: C101) associated with the 1,000-tph non-metallic mineral processing plant (Source ID: 101) is incapable of operation due to weather conditions or any other reason, the associated sources may not be operated at all.

(b) The WDSS (Source ID: C101) shall be operated efficiently and shall not at any time cause the emission of fugitive air contaminants from the controlled sources in excess of the limitations specified in 25 Pa. Code § 123.1.

013 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Prior to any addition of sources to or modification of the 1,000-tph non-metallic mineral processing plant (Source ID: 101), except as provided for in 40 C.F.R. Section 60.670(d), the permittee shall either submit a Request for Determination of Requirement for Plan Approval/Operating Permit (RFD) or submit a Plan Approval application, whichever is appropriate.

014 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Particulate matter emissions from the 1,000-tph non-metallic mineral processing plant (Source ID: 101) shall be controlled by the wet dust suppression system (WDSS) (Source ID: C101) that shall be equipped with two (2) dust suppression tanks.

(1) The dust suppression tank 1 will be employed in Zone 1 and Zone 2 during construction Phase I and the WDSS shall be equipped with forty-eight (48) nozzles and a gauge to monitor the water flow rate. During Phase I, the water flow rate for the WDSS shall be in the range 1.0 to 41.53 gallons per minute.

(2) The dust suppression tank 2 will be employed in Zone 3 and Zone 4 during construction Phase II and the WDSS shall be equipped with one hundred thirty-six (136) nozzles and a gauge to monitor the water flow rate. During Phase II, the water flow rate for the WDSS shall be in the range 1.0 to 113.09 gallons per minute.

VII. ADDITIONAL REQUIREMENTS.**# 015 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

Source and equipment associated with the 1,000-tph non-metallic mineral processing plant (Source ID: 101) will be installed in two phases.

(a) Sources and equipment to be constructed during Phase I and permitted under this plan approval include the following:

- (1) Metso C140 jaw crusher (primary)
- (2) C1 Conveyor
- (3) C2 Conveyor
- (4) 7' x 16' 3-deck scalping screen
- (5) C3 Conveyor
- (6) C5 Conveyor
- (7) C6 Conveyor
- (8) C4 Conveyor
- (9) C7 Conveyor
- (10) C8 Conveyor

(b) Sources and equipment to be constructed during Phase II and permitted under this plan approval include the following:

- (1) 36" x 32' C14 Conveyor
- (2) 36" x 92' C15 Conveyor
- (3) 36" x 70' C16 Conveyor
- (4) Metso HP400 cone crusher (secondary)
- (5) 48' x 256' C13 Conveyor
- (6) two (2) 8' x 24' 4-deck screens

SECTION D. Source Level Plan Approval Requirements

- (7) 30" x 120' C24 Conveyor
- (8) two (2) 42" x 180' C12A and C12B Conveyors
- (9) 30" x 50' C26 Conveyor
- (10) Metso HP400 cone crusher (tertiary) (std. fines)
- (11) Metso HP400 cone crusher (quaternary) (sh. medium)
- (12) two (2) 8' x 24' 4-deck sizing screens
- (13) two (2) 48" x 30' fines C25A and C25B Conveyors
- (14) 48" x 256' C13 Conveyor
- (15) 48" x 100' C11 Conveyor
- (16) Metso GP300S cone crusher (extra course)
- (17) 5' x 14' 2-deck screen
- (18) 48" x 140' C10 Conveyor
- (19) 36" x 32' C14 Conveyor
- (20) 36" x 92' C15 Conveyor
- (21) 36" x 70' C16 Conveyor
- (22) 36" x 42' C17 Conveyor
- (23) 36" x 116' C18 Conveyor
- (24) 36" x 70" C19 Conveyor
- (25) 30" x 51' C20 Conveyor
- (26) 30" x 100' C21 Conveyor
- (27) 30" x 32" C22 Conveyor
- (28) 30" x 340' C23 Conveyor
- (29) 30" x 136' C24 Conveyor
- (30) 30" x 50' C27 (bypass) Conveyor
- (31) 30" x 100' C28 Radial Stacker Conveyor
- (32) 30" x 100' C29 Radial Stacker Conveyor
- (33) 30" x 100' C30 Radial Stacker Conveyor
- (34) 30" x 100' C31 Radial Stacker Conveyor

016 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.670]**Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants****Applicability and designation of affected facility.**

(a) The provisions of Subpart 000 are applicable to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station.

(b) The owner or operator shall comply with all conditions of 40 CFR 60, Subpart 000 where applicable. Whenever a conflict occurs, with any of the regulations listed below, the owner or operator shall, in all cases, meet the more stringent requirement of 25 Pa. Code §§ 123.1, 123.2, and 123.13(c).

017 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.670]**Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants****Applicability and designation of affected facility.**

(a) When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in 40 CFR § 60.671, having the same function as the existing facility, and there is no increase in the amount of emissions, the new facility is exempt from the provisions of 40 CFR §§ 60.672, 60.674, and 60.675 except as provided for in paragraph (c).

(b) An owner or operator complying with paragraph (a) shall submit the information required in 40 CFR § 60.676(a).

(c) An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption described in paragraph (a) and must comply with the provisions of 40 CFR §§ 60.672, 60.674 and 60.675.

018 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.672]**Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants****Standard for particulate matter.**

SECTION D. Source Level Plan Approval Requirements

(a) Affected facilities must meet the fugitive emission limits and compliance requirements in Table 3 of Subpart 000 within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under 40 CFR § 60.11. The requirements in Table 3 of Subpart 000 apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

(b) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of Subpart 000.

(c) If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in paragraphs (a) and (b), or the building enclosing the affected facility or facilities must comply with the following emission limits:

(1) Fugitive emissions from the building openings (except for vents as defined in 40 CFR § 60.671) must not exceed 7 percent opacity; and

(2) Vents (as defined in 40 CFR § 60.671) in the building must meet the applicable stack emission limits and compliance requirements in Table 2 of Subpart 000.

019 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.674]
Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants
Monitoring of operations.

(a) The owner or operator of any affected facility for which construction, modification, or reconstruction commenced on or after April 22, 2008, that uses wet suppression to control emissions from the affected facility must perform monthly periodic inspections to check that water is flowing to discharge spray nozzles in the wet suppression system. The owner or operator must initiate corrective action within 24 hours and complete corrective action as expeditiously as practical if the owner or operator finds that water is not flowing properly during an inspection of the water spray nozzles. The owner or operator must record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken, in the logbook required under 40 CFR § 60.676(b).

[Compliance with the daily monitoring required under Source C101 assures compliance with paragraph (a) of this condition.]

(1) If an affected facility relies on water carryover from upstream water sprays to control fugitive emissions, then that affected facility is exempt from the 5-year repeat testing requirement specified in Table 3 of this subpart provided that the affected facility meets the criteria in paragraphs (1)(i) and (ii):

(i) The owner or operator of the affected facility conducts periodic inspections of the upstream water spray(s) that are responsible for controlling fugitive emissions from the affected facility. These inspections are conducted according to paragraph (a) and 40 CFR § 60.676(b), and

(ii) The owner or operator of the affected facility designates which upstream water spray(s) will be periodically inspected at the time of the initial performance test required under 40 CFR § 60.11 and 40 CFR § 60.675.

(2) If an affected facility that routinely uses wet suppression water sprays ceases operation of the water sprays or is using a control mechanism to reduce fugitive emissions other than water sprays during the monthly inspection (for example, water from recent rainfall), the logbook entry required under 40 CFR § 60.676(b) must specify the control mechanism being used instead of the water sprays.

020 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.675]
Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants
Test methods and procedures.

(a) Method 9 of appendix A-4 of this part and the procedures in 40 CFR § 60.11 shall be used to determine opacity.

(b) When determining compliance with the fugitive emissions standard for any affected facility described under 40 CFR §§ 60.672(b) or 60.672(e)(1), the duration of the Method 9 (40 CFR part 60, appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of Subpart 000 must be based

SECTION D. Source Level Plan Approval Requirements

on the average of the five 6-minute averages.

(c) To demonstrate compliance with the fugitive emission limits for buildings specified in 40 CFR § 60.672(e)(1), the owner or operator must complete the testing specified in paragraph (c)(1). Performance tests must be conducted while all affected facilities inside the building are operating.

(1) If the building encloses any affected facility that commences construction, modification, or reconstruction on or after April 22, 2008, the owner or operator of the affected facility must conduct an initial Method 9 (40 CFR part 60, appendix A-4) performance test according to Subpart OOO and 40 CFR § 60.11.

(d) The owner or operator may use the following as alternatives to the reference methods and procedures specified in Subpart OOO:

(1) If emissions from two or more facilities continuously interfere so that the opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used:

(i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream.

(ii) Separate the emissions so that the opacity of emissions from each affected facility can be read.

(2) A single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:

(i) No more than three emission points may be read concurrently.

(ii) All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.

(iii) If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.

**# 021 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.676]
Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants
Reporting and recordkeeping.**

The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in 40 CFR § 60.672, including reports of opacity observations made using Method 9 (40 CFR part 60, appendix A-4) to demonstrate compliance with 40 CFR § 60.672(b).

**# 022 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.676]
Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants
Reporting and recordkeeping.**

(a) Each owner or operator seeking to comply with 40 CFR § 60.670(d) shall submit to the Administrator the following information about the existing facility being replaced and the replacement piece of equipment.

(1) For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:

(i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and

(ii) The rated capacity in tons per hour of the replacement equipment.

(2) For a screening operation:

(i) The total surface area of the top screen of the existing screening operation being replaced and

(ii) The total surface area of the top screen of the replacement screening operation.

**SECTION D. Source Level Plan Approval Requirements**

(3) For a conveyor belt:

- (i) The width of the existing belt being replaced and
- (ii) The width of the replacement conveyor belt.

(4) For a storage bin:

- (i) The rated capacity in megagrams or tons of the existing storage bin being replaced and
- (ii) The rated capacity in megagrams or tons of replacement storage bins.

(b) Owners or operators of affected facilities, as defined in 40 CFR § 60.670 and 40 CFR § 60.671, for which construction, modification, or reconstruction commenced on or after April 22, 2008, must record each periodic inspection required under 40 CFR § 60.674(b) or (c), including dates and any corrective actions taken, in a logbook (in written or electronic format). The owner or operator must keep the logbook onsite and make hard or electronic copies (whichever is requested) of the logbook available to the Administrator upon request.

(c) A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator.

**# 023 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 000 Table 3]
Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants
Fugitive Emission Limits**

(a) For affected facilities (as defined in 40 CFR § 60.670 and 40 CFR § 60.671) that commence construction, modification, or reconstruction on or after April 22, 2008, the owner or operator must meet the fugitive emissions limit of 7 percent opacity for the following: grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations or from any other affected facility (as defined in 40 CFR § 60.670 and 40 CFR § 60.671).

(b) The owner or operator must meet the fugitive emissions limit of 12 percent opacity for crushers at which a capture system is not used.

(c) The owner or operator must demonstrate compliance with these limits by conducting an initial performance test according to 40 CFR § 60.11 and 40 CFR § 60.675; and periodic inspections of water sprays according to 40 CFR § 60.674(b) and 40 CFR § 60.676(b).

**SECTION D. Source Level Plan Approval Requirements**

Source ID: C101

Source Name: WET DUST SUPPRESSION SYSTEM

Source Capacity/Throughput:

N/A

CNTL C101	→	STAC Z101
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I. RESTRICTIONS.

No additional requirements exist except as provided in other sections of this plan approval including Section B (Plan Approval General Requirements).

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this plan approval including Section B (Plan Approval General Requirements).

III. MONITORING REQUIREMENTS.**# 001 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

(a) The water flow rate shall be monitored daily.

(b) The wet dust suppression system (WDSS) (Source ID: C101) shall be inspected daily, when the 1,000-tph non-metallic mineral processing plant (Source ID: 101) is operating, to include but not limited to, the following:

- (1) spray nozzles for plugging, alignment and physical condition (i.e., broken nozzles).
- (2) hoses for condition (i.e., cracks or holes), leaks and loose hose clamps.

IV. RECORDKEEPING REQUIREMENTS.**# 002 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The permittee shall record the following on a daily basis when the 1,000-tph non-metallic mineral processing plant (Source ID: 101) is operating:

(a) the results of the inspection of the wet dust suppression system (WDSS) (Source ID: C101), as required in Condition #001.

(b) the results of the gauge readings of the water flow rate from the Dust Suppression Tanks 1 and 2, as appropriate and as required in Condition #006.

(c) the following records shall be kept if any components of the WDSS malfunction:

- (1) the date, time, and type of malfunction
- (2) the cause of the malfunction
- (3) the corrective actions taken to correct the malfunction
- (4) date, time and component replaced as a result of this inspection

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this plan approval including Section B (Plan Approval General Requirements).

**SECTION D. Source Level Plan Approval Requirements****VI. WORK PRACTICE REQUIREMENTS.****# 003 [25 Pa. Code §127.12b]
Plan approval terms and conditions.**

- (a) The permittee shall keep spare parts for the wet dust suppression system (WDSS) (Source ID: C101) on site.
- (b) Malfunctioning components of the WDSS (Source ID: C101), identified during the daily inspection, shall be replaced immediately.

**# 004 [25 Pa. Code §127.12b]
Plan approval terms and conditions.**

The 1,000-tph non-metallic mineral crushing plant (Source ID: 101), including any individual source within the 1,000-tph non-metallic mineral crushing plant (Source ID: 101), shall not be operated if any component of the wet dust suppression system (WDSS) (Source ID: C101) fails to work, malfunctions, or operates with reduced control efficiency.

**# 005 [25 Pa. Code §127.12b]
Plan approval terms and conditions.**

(a) The wet dust suppression system (WDSS) (Source ID: C101) associated with the 1,000-tph non-metallic mineral processing plant (Source ID: 101) shall be operated on any and all occasions that the 1,000-tph non-metallic mineral processing plant (Source ID: 101) is operated, except in those unusual circumstances where processed materials contain sufficient moisture such that operation of the 1,000-tph non-metallic processing plant (Source ID: 101) without the simultaneous operation of the WDSS (Source ID: C101) can take place without creating fugitive emissions in excess of the limitations specified in this permit. If, however, the WDSS (Source ID: C101) associated with the 1,000-tph non-metallic mineral processing plant (Source ID: 101) is incapable of operation due to weather conditions or any other reason, the associated sources may not be operated at all.

(b) The wet dust suppression system (WDSS) (Source ID: C101) shall be operated efficiently and shall not at any time cause the emission of fugitive air contaminants from the controlled sources in excess of the limitations specified in 25 Pa. Code § 123.1

VII. ADDITIONAL REQUIREMENTS.**# 006 [25 Pa. Code §127.12b]
Plan approval terms and conditions.**

The wet dust suppression system (WDSS) (Source ID: C101) will be equipped with two (2) dust suppression tanks.

(1) Dust suppression tank 1 will be employed in Zone 1 and Zone 2 during construction Phase I and the WDSS shall be equipped forty-eight (48) nozzles and a gauge to monitor the water flow rate. During Phase I, the water flow rate for the WDSS shall be in the range 1.0 to 41.53 gallons per minute.

(2) Dust suppression tank 2 will be employed in Zone 3 and Zone 4 during construction Phase II and the WDSS shall be equipped one hundred thirty-six (136) nozzles and a gauge to monitor the water flow rate. During Phase II, the water flow rate for the WDSS shall be in the range 1.0 to 113.09 gallons per minute.

**SECTION E Alternative Operation Requirements.**

No Alternative Operations exist for this Plan Approval facility.

**SECTION F. Emission Restriction Summary.**

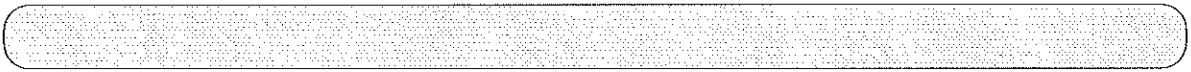
Source Id	Source Description
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Site Emission Restriction Summary

Emission Limit		Pollutant
7.800 Tons/Yr	particulate matter	TSP



SECTION G. Miscellaneous.



***** End of Report *****



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION

December 5, 2018

Mr. Curt Mitchell
Facility Director
Richard E. Pierson Material Corporation
PO Box 704
Bridgeport, NJ 08014-0704

Re: Application No. 09-0241
Plan Approval Issuance
APS ID No. 969158, AUTH ID No. 1230811
East Rockhill Township
Bucks County

Dear Mr. Mitchell:

Please find enclosed a Department of Environmental Protection's (DEP) Plan Approval to construct, modify, reactivate, or install an air cleaning device on an air contamination source. This Plan Approval contains special conditions which must be fulfilled. Failure to do so violates Section 127.25 of DEP rules and regulations, which may result in enforcement action and denial of an Operating Permit.

With this Plan Approval, RE Pierson will be able to construct the crusher and related facilities, however the existing Surface Mining Permit will need to be revised, with the revision approved in writing, before the new crushing plant and related facilities can be fully operational.

A DEP Operating Permit will be issued if (1) the special conditions incorporated within the Plan Approval have all been fulfilled; (2) DEP is satisfied that the project was carried out as proposed in the application, and that the operation of the source(s) and any associated air pollution control equipment conforms with the operational information stated on the application; and (3) the DEP is satisfied that the air contaminant emissions from the source(s) comply with the requirements specified in, or established pursuant to, all applicable DEP rules and regulations.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

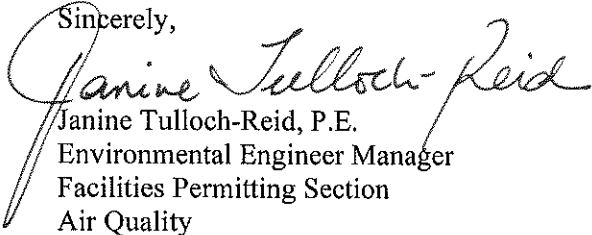
A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have any questions concerning this matter, please contact me at the phone number located in the first page footer.

Sincerely,



Janine Tulloch-Reid, P.E.
Environmental Engineer Manager
Facilities Permitting Section
Air Quality

Enclosure

cc: PADEP, Harrisburg, Division of Permits
Mr. Colston – Facilities Permitting Section
Ms. Gallagher, EGM
Mr. Mountain, Bucks County District Supervisor
File No. 09-0241
Re (VMC18) 334